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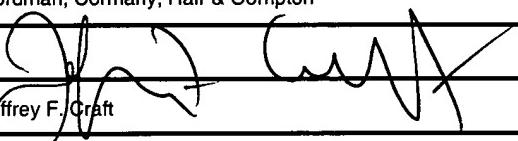
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|--|----|------------------------|--------------------|
| Total Number of Pages in This Submission | 10 | Application Number | 10/677,399 |
| | | Filing Date | October 1, 2003 |
| | | First Named Inventor | David V. Smith |
| | | Art Unit | 3643 |
| | | Examiner Name | Swiatek, Robert P. |
| | | Attorney Docket Number | HM-87423 |

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
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| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Amendment "B" in Response to 12/17/04 Office Action; Return receipt postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Remarks | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | Nordman, Cormany, Hair & Compton | | |
| Signature |  | | |
| Printed name | Jeffrey F. Craft | | |
| Date | February 23, 2005 | Reg. No. | 30,044 |

CERTIFICATE OF TRANSMISSION/MAILING

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| Signature |  | | |
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---------------|-----------------------|---|-------------------|
| Appl. No: | 10/677,399 |) | |
| | |) | |
| Applicant: | David V. Smith |) | Robert P. Swiatek |
| | |) | Patent Examiner |
| Filed: | October 1, 2003 |) | Art Unit 3643 |
| | |) | |
| Title: | ELECTRIC FISH BARRIER |) | |
| | FOR WATER INTAKES AT |) | |
| | VARYING DEPTHS |) | |
| | |) | |
| Atty Dkt No.: | HM-87423 |) | |
| | |) | |

**AMENDMENT "B" IN RESPONSE TO
DECEMBER 17, 2004 OFFICE ACTION**

Mail Stop - NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
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Sir:

In response to the Office Action mailed December 17, 2004, please consider the following amendments and remarks.

Amendments to the Claims: Begin on page 2 of this paper.

Remarks: Begin on page 7 of this paper.